

### **REMARKS/ARGUMENTS**

This case has been carefully reviewed and analyzed in view of the Official Action dated 24 March 2006. Responsive to that Office Action, Claim 1 is now amended for further prosecution with the other pending Claims. It is believed that with such amendment of Claim 1, there is a further clarification of the pending Claims' recitations.

In the Office Action, the Specification was objected to due to the reference character "42" being used to designate both the "T-shaped protrusion" and the "first clamp groove". In response to this objection, the Specification has been amended to positively recite the "T-shaped protrusion 42" and the "second protrusion 51". No new matter has been added by the amendment to the Specification.

In the Office Action, the Examiner rejected Claims 1 and 3 under 35 U.S.C. § 102(b) as being anticipated by the Lee reference. The Examiner also rejected Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over the Lee reference. In setting forth the latter rejection, the Examiner acknowledged that the Lee reference fails to disclose dimensions for the connection depth between the tongue and groove of the first and second clamps that allows for expansion and contraction to take place. The Examiner, however, said the specified dimensions claimed appear to be a design choice developed by basic engineering practice and are not a critical aspect of the claimed invention and concluded that it would have

been obvious to one of ordinary skill in the art to have incorporated as much into the wood floor assembly of the Lee reference.

As newly-amended independent Claim 1 now more clearly recites, Applicant's clamp unit is one which uses spring clips for "... securing said first and second clamps each to the other at their respective first ends thereby forming one clamp unit." As Claim 1 further recites, "a T-shaped protrusion [is] disposed on an upper surface of said clamp unit at a junction defined by said first end of said first clamp and said first end of said second clamp." The location of the T-shaped protrusion allows the junction of the first and second clamps to be positioned directly below a junction of adjacent wood panels.

The full combination of these and other features now more clearly recited by Applicant's pending Claims is nowhere disclosed by the cited reference. Note in this regard that the Lee reference specifically prescribes that each joint base clamp has central position with the first locking plate 25 (T-shaped protrusion) disposed in that central position. Thus, the intersection of wood panels disposed on top of the clamps is at a center of one clamp and not the junction of two adjacent clamps. This teaches quite plainly away from positioning of "[the] junction of said first and second clamps positioned directly below a junction of adjacent wood panels", as Claim 1 now more clearly recites.

Furthermore, by positioning the spring clips to secure the first and second clamps "each to the other at their respective first ends," any stretching of the wood

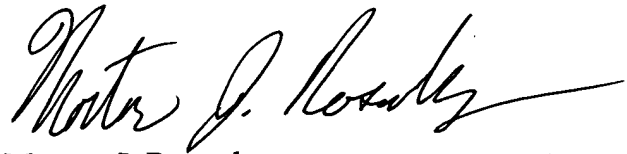
panels will not cause damage to the clamp unit. This is one advantage of the subject Patent Application over the Lee reference, which is represented in Fig. 12. When two adjacent wood panels are affected by external factors causing expansion/contraction, the first and second clamps will move along with each respective wood panel to which it is attached. This then reduces the chances of breakage or damage occurring to the clamps.

It is respectfully submitted, therefore, that the reference fails to disclose the unique combination of elements now more clearly recited by Applicant's pending Claims for the purposes and objectives disclosed in the subject Patent Application and thus it cannot anticipate the invention as now claimed. Further, as the reference fails to suggest the combination of elements as now claimed, it cannot make obvious that claimed invention. Additionally, Claims 2 and 3 are ultimately dependent upon now amended independent Claim 1 and are at least patentably distinct for the same reasons as independent Claim 1.

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Reply to Office Action dated 24 March 2006

It is now believed that the subject Patent Application has been placed fully  
in condition for allowance, and such action is respectfully requested.

Respectfully submitted,  
For: ROSENBERG, KLEIN & LEE

A handwritten signature in cursive script, appearing to read "Morton J. Rosenberg", with a long horizontal flourish extending to the right.

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